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8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**
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11 JASON PAUL LEGARE,

12 Plaintiff,

13 v.
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15 J. MICHAEL LEE, et al.,

16 Defendants.
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Case No. ED CV 15-00833 JVS (AFM)

**ORDER ACCEPTING FINDINGS
AND RECOMMENDATIONS OF
UNITED STATES MAGISTRATE
JUDGE**

18 Pursuant to 28 U.S.C. § 636, the Court has reviewed the Report and
19 Recommendation of United States Magistrate Judge. Further, the Court has
20 engaged in a *de novo* review of those portions of the Report to which objections
21 have been made. Defendants' objections are overruled. The Court accepts the
22 findings and recommendations of the Magistrate Judge.

23 IT THEREFORE IS ORDERED that

- 24 (1) the Report and Recommendation of the Magistrate Judge is accepted
25 and adopted;
26 (2) defendants' Motion for Summary Judgment is granted, in part, on
27 plaintiff's Eighth Amendment claims for defendants' refusal to change
28 the surgical dressing;

- 1 (3) defendant's Motion for Summary Judgment is denied, in part, on
2 plaintiff's Eighth Amendment claims arising from the delay in having
3 the Penrose drain removed; and
4 (4) defendant Yolanda Soto is dismissed from this action.

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6 DATED: May 08, 2017



JAMES V. SELNA
UNITED STATES DISTRICT JUDGE